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**DECLARATION
AND POWER OF ATTORNEY
Utility Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **OPTICAL ASSAY DEVICE AND METHOD** the specification of which

(Check One) ☒ is attached hereto OR
☐ was filed on _____ as United States Application Serial No.; PCT International
Application No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Date of Filing	Priority Claimed	
			Yes	No

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. Parent Application Number	PCT Parent Number	Parent Filing Date	Status-Patented, Pending or Abandoned

POWER OF ATTORNEY: As a named inventor, I hereby appoint as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Roland N. Smoot, Reg. No. 18,718; Conrad R. Solum, Jr. Reg. No. 20,467; James W. Geriak, Reg. No. 20,233; Robert M. Taylor, Jr., Reg. No. 19,848; Samuel B. Stone, Reg. No. 19,297; Douglas E. Olson, Reg. No. 22,798; Robert E. Lyon, Reg. No. 24,171; Robert C. Weiss, Reg. No. 24,939; Richard E. Lyon, Jr., Reg. No. 26,300; John D. McConaghy, Reg. No. 26,773; William C. Steffin, Reg. No. 26,811; Coe A. Bloomberg, Reg. No. 26,605; J. Donald McCarthy, Reg. No. 25,119; John M. Benassi, Reg. No. 27,483; James H. Shalek, Reg. No. 29,749; Allan W. Jansen, Reg. No. 29,035; Robert W. Dickerson, Reg. No. 29,914; Roy L. Anderson, Reg. No. 30,240; David B. Murphy, Reg. No. 31,125; James C. Brooks, Reg. No. 29,898; Jeffrey M. Olson, Reg. No. 30,790; Steven D. Hemminger, Reg. No. 30,755; Jerrold B. Reilly, Reg. No. 32,293; Paul H. Meier, Reg. No. 32,274; John A. Rafter, Jr., Reg. No. 31,653; Kenneth H. Ohriner, Reg. No. 31,646; Mary S. Consalvi, Reg. No. 32,212; Lois M. Kwasigroch, Reg. No. 35,579; Lawrence R. LaPorte, Reg. No. 38,948; Robert C. Laurenson, Reg. No. 34,206; Bradford J. Duft, Reg. No. 32,219; Suzanne L. Biggs, Reg. No. 30,158; Richard J. Warburg, Reg. No. 32,327; John M. Johnson, Reg. No. 33,334; Daniel M. Chambers, Reg. No. 34,561; Troy M. Schmelzer, Reg. No. 36,667; Daniel N. Yannuzzi, Reg. No. 36,727; Jessica R. Wolff, Reg. No. 37,261; Howard N. Wisnia, Reg. No. 37,502; Douglas C. Murdock, Reg. No. 37,549; Sheldon O. Heber, Reg. No. 38,179; Jeffrey W. Guise, Reg. No. 34,613; F.T. Alexandra Mahaney, Reg. No. 37,668; Charles S. Berkman, Reg. No. 38,077; Edward M. Jordan, Reg. No. 40,666; John C. Kappos, Reg. No. 37,861; Keith Kind, Reg. No. 42,735; Daniel N. Yanuzzi, Reg. No. 36,727; Stephen S. Korniczky, Reg. No. 34,853; Jonathan T. Losk, Reg. No. 39,755; Theodore S. Maceiko, Reg. No. 35,593; Hope E. Melville, Reg. No. 34,874; Jeffrey A. Miller, Reg. No. 35,874; Kurt T. Mulville, Reg. No. 37,194; Clarke W. Neumann, Reg. No. 39,789; Vicki Norton, Reg. No. 40,745; Kenneth S. Roberts, Reg. No. 38,283; Thomas R. Rouse, Reg. No. 40,793; James K. Sakaguchi, Reg. No. 41,285; James K. Sakaguchi, Reg. No. 41,285; Carol A. Schneider, Reg. No. 34,923; Gary H. Silverstein, Reg. No. 39,372; Sheryl R. Silverstein, Reg. No. 40,812; Brent D. Sokol, Reg. No. 38,621; Jeffrey D. Tekanic, Reg. No. 36,031; Christopher A. Vanderlaan, Reg. No. 37,747; David E. Wang, Reg. No. 38,358; Lisa Ward Karmelich, Reg. No. 41,421; Michael J. Wise, Reg. No. 34,047; Wesley Ames, Reg. No. 40,893; Charles Balgenorth, Reg. No. 37,586; Thomas J. Brindisi, Reg. No. 40,348; James P. Brogan, Reg. No. 35,833; David T. Burse, Reg. No. 37,104; Bruce G. Chapman, Reg. No. 33,846; Farshad Farjami, Reg. No. 41,014; Charles C. Fowler, Reg. No. 39,675; Corrine M. Freeman, Reg. No. 37,625; and Stephen C. Beuerle, Reg. No. 38,380 of LYON & LYON, 633 West Fifth Street, Suite 4700, Los Angeles, California 90071-2066 telephone (619) 552-8400.

Send Correspondence to:
Richard J. Warburg

LYON & LYON LLP
633 W Fifth St., Suite 4700
Los Angeles, CA 90071

Direct Telephone calls to:
Stephen C. Beuerle
(619) 552-8400

Residence, post office address, citizenship and signature of inventor(s) set forth beginning on next page.

	FULL NAME OF INVENTOR	FIRST Name James	MIDDLE Initial E.	LAST Name Maynard	
201	RESIDENCE & CITIZENSHIP	City Boulder	State or Foreign Country Colorado	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	3119 11 th Street	City Boulder	State or Country Colorado	Zip Code 80304

	FULL NAME OF INVENTOR	FIRST Name Mark	MIDDLE Initial A.	LAST Name Crosby	
202	RESIDENCE & CITIZENSHIP	City Boulder	State or Foreign Country Colorado	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	6262 Willowlane	City Boulder	State or Country Colorado	Zip Code 80301

	FULL NAME OF INVENTOR	FIRST Name Alan	MIDDLE Initial J.	LAST Name Fujii	
203	RESIDENCE & CITIZENSHIP	City Newport Beach	State or Foreign Country California	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	16 Cape Danbury	City Newport Beach	State or Country California	Zip Code 92660

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
204	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Cod

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
205	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
206	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code §1001, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor	201
Date	3-16-99

Signature of Inventor	202
Date	

Signature of Inventor	203
Date	

Signature of Inventor	204
Date	

Signature of Inventor	205
Date	

Signature of Inventor	206
Date	

(Signatures should conform to names as presented at 201 et seq. above.)

	FULL NAME OF INVENTOR	FIRST Name James	MIDDLE Initial E.	LAST Name Maynard	
201	RESIDENCE & CITIZENSHIP	City Boulder	State or Foreign Country Colorado	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	3119 11 th Street	City Boulder	State or Country Colorado	Zip Code 80304

	FULL NAME OF INVENTOR	FIRST Name Mark	MIDDLE Initial A.	LAST Name Crosby	
202	RESIDENCE & CITIZENSHIP	City Boulder	State or Foreign Country Colorado	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	6262 Willowlane	City Boulder	State or Country Colorado	Zip Code 80301

	FULL NAME OF INVENTOR	FIRST Name Alan	MIDDLE Initial J.	LAST Name Fujii	
203	RESIDENCE & CITIZENSHIP	City Newport Beach	State or Foreign Country California	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	16 Cape Danbury	City Newport Beach	State or Country California	Zip Code 92660

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
204	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
205	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
206	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code

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Signature of Inventor	201
Date	
Signature of Inventor	202
Date	4/19/99
Signature of Inventor	203
Date	

Signature of Inventor	204
Date	
Signature of Inventor	205
Date	
Signature of Inventor	206
Date	

(Signatures should conform to names as presented at 201 et seq. above.)

	FULL NAME OF INVENTOR	FIRST Name James	MIDDLE Initial E.	LAST Name Maynard	
201	RESIDENCE & CITIZENSHIP	City Boulder	State or Foreign Country Colorado	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	3119 11 th Street	City Boulder	State or Country Colorado	Zip Code 80304

	FULL NAME OF INVENTOR	FIRST Name Mark	MIDDLE Initial A.	LAST Name Crosby	
202	RESIDENCE & CITIZENSHIP	City Boulder	State or Foreign Country Colorado	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	6262 Willowlane	City Boulder	State or Country Colorado	Zip Code 80301

	FULL NAME OF INVENTOR	FIRST Name Alan	MIDDLE Initial J.	LAST Name Fujii	
203	RESIDENCE & CITIZENSHIP	City Newport Beach	State or Foreign Country California	Country of Citizenship U.S.A.	
	POST OFFICE ADDRESS	16 Cape Danbury	City Newport Beach	State or Country California	Zip Code 92660

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
204	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
205	RESIDENCE & CITIZENSHIP	City	State or Foreign Country	Country of Citizenship	
	POST OFFICE ADDRESS		City	State or Country	Zip Code

	FULL NAME OF INVENTOR	FIRST Name	MIDDLE Initial	LAST Name	
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	POST OFFICE ADDRESS		City	State or Country	Zip Code

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Signature of Inventor	201
Date	

Signature of Inventor	202
Date	

Signature of Inventor 4/29/99 <i>Alan J. Fujii</i>	203
Date	

Signature of Inventor	204
Date	

Signature of Inventor	205
Date	

Signature of Inventor	206
Date	

(Signatures should conform to names as presented at 201 et seq. above.)